

RECEIVED
CENTRAL FAX CENTER
NOV 09 2004

JOSEPH E. CHOVANES
ATTORNEY AT LAW
SUITE 900
5 GREAT VALLEY PARKWAY
HAVERHILL, MA 01830
TELEPHONE (610) 648-3994
FACSIMILE (610) 648-8997
JCHOVANES@CHOVANES.COM

FACSIMILE COVER SHEET

TO: Exa. Todd D. Ingberg

FROM: Joseph E. Chovanes, Esq.

DATE: 11/9/2004

RE: Ser. No. 09/737,494

Enclosed please find:

- 1) PTO Transmittal Sheet
- 2) PTO Fee Transmittal Sheet
- 3) PTO - 2038
- 4) Amendment and Response

Total number of pages, including this sheet: 52

PLEASE NOTE: This facsimile contains information which may be privileged, confidential and exempt from disclosure under applicable law. If you are not the recipient and have received this transmission in error, please contact us immediately by telephone. Thank you.

*Received in arc
on 11/10/04*

PTO/BA/21 (09-04)
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE


Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

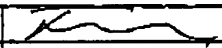
TRANSMITTAL FORM	Application Number	09/737,494
	Filing Date	12/15/2000
	First Named Inventor	Cyt. Vincent R.
	Art Unit	2124
	Examiner Name	Todd D. Ingberg
	Attorney Docket Number	75-00

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 61

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ <input type="checkbox"/> Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CO, Number of CO(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-2038
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	Joseph E. Chovanes, Esq.
Signature	
Printed Name	Joseph E. Chovanes
Date	11-09-04
Reg. No.	33,481

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as EXPRESS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Joseph E. Chovanes
Date	11-09-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Approved for use through 07/31/2008. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 168

Complete if Known

Application Number 09/737,494
Filing Date December 15, 2000
First Named Inventor Cyr, Vincent R.
Examiner Name Todd D. Ingberg
Art Unit 2124
Attorney Docket No. 78-00

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
1001 700	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 60	Provisional filing fee	
SUBTOTAL (1) (\$ 0			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from	Fee Paid
58	42** = 16	9	144
8	7** =	44	44
Multiple Dependent			

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
1202 16	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 180	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 16	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 168		

**or number previously paid, if greater. For Reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 150	2051 85	Surcharge - late filing fee or oath	
1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,620	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1203 800	2203 490	Extension for reply within third month	
1254 1,830	2254 785	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,610	1451 1,610	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unrevokable	
1453 1,370	2453 685	Petition to revive - unintentional	
1601 1,370	2601 685	Utility issue fee (or re-issue)	
1602 490	2602 245	Design issue fee	
1603 880	2603 330	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 60	1807 60	Processing fee under 37 CFR 1.17(q)	
1809 160	1809 160	Submission of Information Disclosure Sheet	
8021 40	8021 40	Recording each patent assignment per property (final number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 780	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 780	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

SUBMITTED BY

Name (Print/Type) Joseph E. Chovanes

Signature

Registration No. (Attorney/Agent)

33481

Complete if applicable

Telephone 610-648-3904

Date 11-09-04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2735.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.